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Attorneys for Defendant
MICHAEL MARCUM

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL MARCUM,

Defendant.

Case No. 1:22-cr-00164 ADA-BAM

STIPULATION TO ADVANCE
SENTENCING;
ORDER THEREON

Date: December 20, 2022
Time: 8:30 a.m.
Judge: Hon. Ana de Alba

IT IS HEREBY STIPULATED by the parties, through their respective counsel, Alexandre M. Dempsey, Assistant United States Attorney, counsel for plaintiff, and Eric V. Kersten, Assistant Federal Defender, counsel for defendant Michael Marcum, that the sentencing hearing scheduled for January 23, 2023 may be advanced to December 20, 2022.

Pursuant to their plea agreement, the government and Mr. Marcum both recommend a sentence at the low end of the applicable guideline range. The draft Presentence Investigation Report (PSR) has been filed and neither party has any objection to the guideline calculations. In addition, Mr. Marcum suffers from several serious health related issues and treatment is being delayed as it is unknown how long Mr. Marcum will remain at the Fresno County Jail before being transferred to the United States Bureau of Prisons.

1 Because it appears there will be no disputed issues at sentencing, it is requested that
2 sentencing be advanced in an attempt to minimize the amount of Mr. Marcum will spend in local
3 custody prior to being transferred.
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5 PHILLIP A. TALBERT
Acting United States Attorney
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7 DATED: December 12, 2022

By /s/ Alexandre M. Dempsey
ALEXANDRE M. DEMPSEY
Assistant United States Attorney
Attorney for Plaintiff
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11 HEATHER E. WILLIAMS
Federal Defender
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13 DATED: December 12, 2022

By /s/ Eric V. Kersten
ERIC V. KERSTEN
Assistant Federal Defender
Attorney for Defendant
MICHAEL MARCUM
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17 IT IS SO ORDERED.
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19 Dated: December 13, 2022


UNITED STATES DISTRICT JUDGE
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